

**MINUTES OF THE BOARD
OF
AUDIOLOGY AND SPEECH LANGUAGE PATHOLOGY**

January 10, 2006

CALL TO ORDER

Jody Spalding, Chairperson, called the meeting of the Board of Audiology and Speech Language Pathology to order at 4:15 p.m., Tuesday, January 10, 2006, in conference room Lower Level A, Nebraska State Office Building, Lincoln, Nebraska. The meeting was duly publicized by distribution of the notice of Meeting and Agenda ten (10) days prior to the meeting and posting the agenda at the entrance of Health and Human Services at least twenty-four (24) hours prior to the meeting.

Roll Call

The following Board Members, Credentialing Division Staff and visitor were present at the meeting:

Jody Spalding, Chairperson
Kenya Taylor, Professional Member
Kathryn Beauchaine, Professional Member
Ron Busch, Consumer Member

Diane Hansmeyer, Section Administrator
Delores James, Credentialing Coordinator
Brad Schaff, Assistant Attorney General
Mike Grutsch, Investigation Program Administrator

Absent: Jane Stokebrand, Vice-Chair

Adoption of the Agenda

Taylor moved, seconded by Beauchaine, to adopt the agenda with the agenda items reordered to move item 9D after item VI. Scope of Practice. Voting aye: Spalding, Taylor, Beauchaine and Busch. Voting nay: None. Absent and not voting: Stokebrand. Motion carried.

Approval of Minutes

Taylor moved, seconded by Spalding, to approve the board minutes for October 4, 2005. Voting aye: Taylor, Beauchaine, Busch and Spalding. Voting nay: None. Absent and not voting: Stokebrand. Motion carried.

INVESTIGATIONAL REPORT(S) (Closed Session)

Beauchaine moved, seconded by Busch, to go into closed session at 4:19 p.m. for the purpose of discussing investigational reports and to protect the reputation of individuals. Voting aye: Beauchaine, Busch, Spalding and Taylor. Voting nay: None. Absent and not voting: Stokebrand. Motion carried.

Out of Closed Session

Busch moved, seconded by Taylor, to come out of closed session at 4:30 p.m. Voting aye: Busch, Spalding, Taylor, and Beauchaine. Voting nay: None. Absent and not voting: Stokebrand. Motion carried.

APPROVAL OF CONTINUING COMPETENCE REGULATIONS

Hansmeyer reported that the regulations have gone through a public hearing without any public comments. The regulations will now go to the Board of Health on January 23, 2006.

Hansmeyer recommended to the Board to eliminate the pre-approval process for the continuing education programs on the effective date of the new regulations. She suggested using the process where once the regulations become effective, any program that was held before the effective date of the regulations would need to be pre-approved. Those continuing education programs held after the effective date will not be pre-approved. Licensees would decide what programs to attend based on the criteria set out in the new regulations.

Spalding asked if they could deal with the content in the same way as pre-approving programs.

Hansmeyer answered yes.

A letter will be sent to all licensees explaining that the pre-approved programs' content is based on the regulations that are in effect for that time period prior to the effective date of the new regulations and will change when the new regulations become effective.

Spalding stated that it would be appropriate to place information in NSHLA regarding this process so they will at least hear it one other time.

Motion

Taylor moved, seconded by Busch, to send the licensees a letter informing them of the amendments to the continuing education regulations and that programs taken/given prior to the effective date of the new regulations will have to be submitted for approval and that continuing education activities taken/given after the effective date will not longer need pre-approval. Also the content requirements will be treated the same as the pre-approval for programs once the new regulations become effective.

COMPLAINT PROCESS

Spalding requested information on the complaint process and stated that her questions came about as a result of personal experience with the complaint process and comments from other people who have made complaints and the lack of clarity about what was happening with their complaint. She said a person made a complaint and never received an acknowledgment regarding whether the complaint was acted on or not. She heard from another who had the same experience. There was no written confirmation that the complaint had ever been received. Her concern about this was that the licensee is required to submit the complaint, complete a very time consuming, and then there is no response to say it was received and whether or not the State intends to do anything. She said there should be a time frame for completing this process.

Grutsch told her that what she described is highly unusual but he would not say that it couldn't happen. When a complaint is received a letter is immediately sent to the complainant stating their complaint was received. Investigation Division sends another letter within six weeks telling the complainant whether the complaint will be investigated or not and if it is not going to be investigated the complainant may request that the full board review it. Spalding told him that she knows that these things did not happen because she received a phone call from a complainant trying to find out what was going on with the complaint.

Grutsch took the names of the persons submitting the complaints and promised to check on those cases and get back in touch with Spalding.

CONSUMER BROCHURES

Hansmeyer gave the Board samples of brochures done by mental health and occupational therapy as samples to give the Board an idea of the content areas covered. She pointed out that occupational therapy brochures explain what occupational therapist do and part of the reason for developing a brochure is to educate the public about the profession.

What we have done with these is to send them to hospitals, physicians' offices, etc. Hansmeyer asked the Board to take the Brochures home and review them to determine how they want to approach the development of a brochure for audiology and speech.

Spalding asked about the cost to the Board for doing a brochure. Hansmeyer estimated that it would cost around \$500. Beauchaine said she thought there should be one brochure for speech language pathology and one for audiology.

Hansmeyer will work on qualifications and ethics, Taylor will work on speech language pathology and Beauchaine will work on audiology. Each will have something to present at the next board meeting.

Motion on Developing a Brochure

Taylor moved, seconded by Busch, to develop brochures for speech language pathology, and audiology. Voting aye: Spalding, Taylor, Beauchaine and Busch. Voting nay: None. Absent and not voting: Stokebrand. Motion carried.

SCOPE OF PRACTICE

Can Speech Language Pathologist Perform

Flexible Endoscopic Evaluation of Swallowing (Teresa Daum)

The Board received a question from Teresa Daum asking if speech language pathologists may perform flexible endoscopic evaluation of swallowing. The Board reviewed the current scope of practice as written in Neb. Rev. Stat. 71-1,186(4) and found that it is not within the scope of practice of a speech language pathologist to perform flexible endoscopic evaluation of swallowing. However, the Nebraska Speech Language Hearing Association is in the process of seeking approval to change the current scope of practice to include this evaluation. They hope to get legislation introduced in 2007.

Spalding moved, seconded by Beauchaine that flexible endoscopic evaluation of swallowing is not within the scope of practice of a speech language pathologist. Voting aye: Spalding, Taylor, Beauchaine and Busch. Voting nay: None. Absent and not voting: Stokebrand. Motion carried.

NATIONAL COUNCIL OF STATE BOARD OF EXAMINERS

Annual Meeting Report (Oct, 2005)

The annual meeting of the National Council of State Boards of Examiners was held in Cincinnati, Ohio, October 20-22, 2005. Spalding, Taylor and Hansmeyer attended. Spalding and Taylor gave a report on the meeting. All felt the meeting was valuable and very informative.

2006 Dues (\$350.00)

Beauchaine moved, seconded by Busch to approve payment of \$350 in dues for 2006 to be members of the National Council of State Boards of Examiners. Voting aye: Spalding, Taylor, Beauchaine and Busch. Voting nay: None. Absent and not voting: Stokebrand. Motion carried.

OLD BUSINESS

There was no old business for the Board to discuss.

NEW BUSINESS

LAP Report

There was no new report. Tabled until next meeting.

Board/Staff Duties and Responsibilities

Busch moved, seconded by Beauchaine to approve the Board/Staff Duties and Responsibilities as presented. Voting aye: Spalding, Taylor, Beauchaine and Busch. Voting nay: None. Absent and not voting: Stokebrand. Motion carried.

Complaint Screener/Inv. Consultant

Spalding moved, seconded by Busch to approve Taylor as the investigative consultant/screener for speech-language pathology and Spalding for audiology. Voting aye: Spalding, Taylor, Beauchaine and Busch. Voting nay: None. Absent and not voting: Stokebrand. Motion carried.

Continuing Education Reviewers

The Board will continue to have Spalding review the problem continuing education programs for audiology and Stokebrand for speech language pathology.

Hansmeyer stated that at the next board meeting the Board would have to determine how many individuals they want to audit for licensure renewal. She stated at renewal time the licensees have to attest that they have taken 20 hours of continuing education, but the licensees who are being audited have to provide documentation of attendance. Hansmeyer explained that when the pending regulations are passed audited licensees not only have to provide a certificate of attendance, but will have to also provide the objectives of the programs. They have to have objectives to make sure that programs meet the requirements found in the regulations and that they also fall within the categories listed.

Hansmeyer left the meeting at 5:15 p.m.

The Board recessed at 5:15 p.m.

Reconvened at 5:31 p.m.

Election of Officers

Busch nominated Jody Spalding for Chairperson, Jane Stokebrand for Vice-Chair, and Kathryn Beauchaine for Secretary. Busch moved to close the nomination process and cast a unanimous ballot for the aforementioned slate of officers. Voting aye: Beauchaine, Busch, Taylor and Spalding. Voting nay: None. Absent and not voting: Stokebrand. Motion carried.

MISCELLANEOUS

2006 Board Meeting Dates

The board scheduled the following board meetings: June 13, and September 19, 2006 and January 9, 2007. All meetings will be held at 4:00 p.m. at the Nebraska State Office Building.

Board Signature Forms

James asked the Board to sign several signature forms for use on Board correspondence.

ADJOURNMENT

There being no further business, the meeting was adjourned at 6:15 p.m.

Respectfully submitted,

Jody Spalding, Chairperson